

## REMARKS

Applicant has amended claims 12 and 13 to correct minor informalities.

Applicant respectfully traverses the § 102(b) rejection of claims 1, 3, 6, and 11 over Tseung.

According to the present invention, as set forth in claims 1, 3, 6, and 11, a broadcast program transmitted according to a predetermined schedule is received by the invention and recorded. If recordation fails due to the predetermined schedule, the invention receiver cannot simply request retransmission of the broadcast program. The invention, therefore, searches for, receives and records an alternative program having substantially the same content as the failed program.

Claims 1 and 11 have been amended to reflect these aspects of the invention.

In contrast, Tseung discloses a technique in which information is transmitted from a broadcast center to a plurality of receivers. One receiver, which has failed to acquire the information, transmits a signal indicating acquisition failure to a retransmission station. One-to-one information communication is performed between the retransmission station and the receiver, to ensure complete information transmission. Tseung therefore requests and receives retransmission of the same program in the case of reception failure, rather than searching for and receiving another program with substantially the same content. For at least this reason, Tseung does not anticipate claims 1, 3, 6, and 11 under § 102(b).

Applicant appreciates the indication of allowable subject matter in claims 4, 5, 7-10, and 12-13, but submits that it is premature to place these claims in independent form until the Examiner considers the above amendments and remarks.

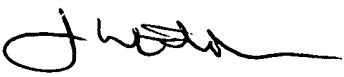
In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of the rejected claims, and the timely allowance of all of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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